

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

53411

Morton & Craig LLC

William E. Craig, Esquire

110 Marter Avenue

Suite 301

Moorestown, NJ 08057

Attorney for Daimler Trust



Order Filed on October 12, 2022
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

Case No. 22-13079

In Re:

Adv. No.

FREDERICO C. MAGALHAES

Hearing Date: 9-28-22

Judge: (SLM)

**ORDER FOR LEASE ASSUMPTION, MONTHLY LEASE PAYMENTS, STAY RELIEF UNDER
CERTAIN CIRCUMSTANCES, INSURANCE, COUNSEL FEES, AND SELF-EXECUTING STAY
RELIEF AT LEASE END**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

DATED: October 12, 2022

A handwritten signature in black ink, reading "Stacy L. Meisel".

Honorable Stacy L. Meisel
United States Bankruptcy Judge

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Debtor: Frederico C. Magalhaes

Case No: 22-13079

Caption of Order: Order for lease assumption, monthly lease payments, stay relief under certain circumstances, insurance, counsel fees, and self-executing stay relief at lease end.

This matter having brought before this Court on a Motion for Stay Relief, filed by John R. Morton, Jr., Esq., attorney for Daimler Trust, with the appearance of Herbert B. Raymond, Esq. on behalf of the Debtor, and this Order having been filed with the Court and served upon the Debtor and his attorney under the seven-day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

- 1. That Daimler Trust is the owner and lessor of a 2022 Mercedes-Benz GLE450 bearing vehicle identification number 4JGFB5KB0NA653019.**
- 2. That with the entry of this order the Debtor has assumed the lease.**
- 3. That commencing October 2022, the Debtor is to make each monthly lease payment directly to Daimler Trust by the date that each payment falls due under the lease agreement. If the Debtor fails to make any monthly payment within thirty (30) days after it falls due, Daimler Trust shall be entitled to stay relief upon filing a certification of non-payment with the court and serving it on the Debtor, his attorney, and the Chapter 13 trustee.**
- 4. That the Debtor must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Daimler Trust must be listed as loss payee. If the Debtor fails to maintain valid insurance on the vehicle, Daimler Trust shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the Debtor, his attorney, and the Chapter 13 trustee.**

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Debtor: Frederico C. Magalhaes

Case No: 22-13079

Caption of Order: Order for lease assumption, monthly lease payments, stay relief under certain circumstances, insurance, counsel fees, and self-executing stay relief at lease end.

- 5. That at the end of the lease the debtor must either surrender the vehicle or purchase it in accordance with the lease-end purchase option. At lease-end, Daimler Trust shall be entitled to immediate stay relief in order to repossess (if necessary) and sell said vehicle without further application to the court. The terms of this paragraph are deemed to be self-executing in nature.**
- 6. That the Debtor must pay a counsel fee of \$431.00 to Daimler Trust through his Chapter 13 plan.**

In re:
Frederico C Magalhaes
Debtor

Case No. 22-13079-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Oct 12, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2022:

Recip ID	Recipient Name and Address
db	+ Frederico C Magalhaes, 176 Central Avenue, West Caldwell, NJ 07006-7747

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2022 at the address(es) listed below:

Name	Email Address
David Thomas Shivas	on behalf of Creditor Mark and Jennifer O'Connor dshivas@bsblawgroup.com
Denise E. Carlon	on behalf of Creditor Lakeview Loan Servicing LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth K. Holdren	on behalf of Creditor Caterpillar Financial Services Corporation eholdren@hillwallack.com jhanley@hillwallack.com;hwbknj@hillwallack.com;eholdren@ecf.courtdrive.com
Herbert B. Raymond	on behalf of Debtor Frederico C Magalhaes herbertraymond@gmail.com raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemails789@gmail.com
John R. Morton, Jr.	on behalf of Creditor Daimler Trust ecfmil@mortoncraig.com mortoncraigecf@gmail.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Oct 12, 2022

Form ID: pdf903

Total Noticed: 1

John R. Morton, Jr.

on behalf of Creditor Daimler Truste c/o BK Servicing LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

Marie-Ann Greenberg

magecf@magtrustee.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8